IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 17TH OCTOBER 2007 / 25TH ASWINA 1929

WP(C).No. 29011 of 2007(D)

PETITIONER:

PRAMANJULA GOPAL, NEDUNGATTUKUNNEL HOUSE, KEZHUVAMKULAM P.O., KOTTAYAM.

BY ADV. SRI.N.SUGATHAN
SMT.VARSHA BHASKAR
SRI.S.PRASANTH (AYYAPPANKAVU)

RESPONDENTS:
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1. **THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, FOREST AND WILD LIFE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION), FOREST HEADQUARTERS, VAZHUTHAKAD, THIRUVANANTHAPURAM.**

3. **THE ASST.CONSERVATOR OF FORESTS, SOCIAL FORESTRY DIVISION, PALAKKAD.**

4. **THE ACCOUNTANT GENERAL (A & E), THIRUVANANTHAPUAM.**

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

tss

V.GIRI, J.

W.P.(C). NO. 29011 OF 2007

Dated this the 17th day of October, 2007

J U D G M E N T

Petitioner's husband Sasikumar died on 27.12.05 while in service. Petitioner's grievance is that the DCRG due and admissible to Sasikumar has not been disbursed to her so far.

2. Learned Govt. Pleader on instructions submits that the liability in so far as Sasikumar is concerned, is not finalised so far. Ext.P6 representation submitted by the petitioner is pending. In the above circumstances, the writ petition is disposed of on the following terms:

(1) The 2nd respondent shall take appropriate steps to see that the liability, if any incurred by late Sasikumar, is finalised within two months from the date of receipt of a copy of this judgment.

(2) It is made clear that the question as to whether the respondents are entitled to fix the liability in relation to late Sasikumar at this point of time has not been considered. It will be open to the petitioner to file such objections as are available to her in law, if there is a proposal on the part of the 2nd respondent to fix any liability, under the account of late Sasikumar and his estate.

(3) Once the liability is so fixed or in case where no amount is fixed as liability, after completion of the procedure as outlined above, the

amount due to the petitioner by way of DCRG shall be disbursed to her within a period of one month thereafter. If there is delay in disbursal of the amount due, the same will carry interest at the rate of 9% from the date on which the said period of one month expires.

(4) It is further made clear that the petitioner will be entitled to challenge any proceedings, by which any liability is sought to be fixed in relation to late Sasikumar, if permissible in law and if so advised.

(5) The amount due under the account of late Sasikumar by way of GPF and pay fixation arrears shall be disbursed to the petitioner, within two months from the date of receipt of a copy of the judgment. To enable the 2nd respondent to do so, petitioner shall file a statement showing the details of other amounts due within one month from today.

V.GIRI, JUDGE

vps